

REMARKS

Claims 1-6 remain pending after amendment.

Rejection under 35 USC 102(a)

Claims 1-2 and 5 stand again rejected under 35 USC 102(a) as being anticipated by JP '598.

In support of the rejection, the Examiner takes the position that JP '598 "teaches the claimed apparatus and process as evidenced by the taught embodiments shown in figs. 1-3."

This rejection is again respectfully traversed.

As previously argued, the '598 reference is directed to a mold for a golf ball formed from an upper mold portion 1 and a lower mold portion 3. A cavity surface 5 of the mold portions is provided with multiple projections 7 to form dimples on the surface of the molded golf ball. The claimed invention is not anticipated by the cited reference.

Previously presented sheet A corresponds to Figure 5 of the present specification. Figure 5 depicts a golf ball obtained by use of a golf ball mold of Example 1 of the present specification. As shown at Table 1 of the specification, $\Sigma \phi$ of Example 1 is 105.4 degrees.

Previously presented sheet B corresponds to Fig. 8 of the present specification. Fig. 8 depicts a golf ball which is obtained by using a mold of Example 2 of the specification. As

shown at Table 1 of the specification, $\Sigma \phi$ of Example 2 is 194.2 degrees.

Previously presented sheet C corresponds to Fig. 9 of the present specification. Fig. 9 depicts a golf ball which is obtained by use of a mold of Example 3 of the specification. As shown at Table 1 of the specification, $\Sigma \phi$ of Example 3 is 258.5 degrees.

Previously presented sheet D corresponds to Fig. 5 of the cited JP '598.

As previously argued, the blackened dimples on the previously-submitted sheets A-D adjoin a horizontal portion. As is clear from a comparison between the sheets C and D, a mold of JP '598 is similar to the mold of Example 3. JP '598 is silent regarding a value of $\Sigma \phi$. However, a comparison between sheets C and D clearly demonstrates that the value of $\Sigma \phi$ is at least 258.5 degrees.

Applicants' specification states at page 8, lines 26-34 that the total value of $\Sigma \phi$ is preferably "252 degrees or less". The flight distance of Example 2 whose $\Sigma \phi$ is 194.2 degrees is greater than the flight distance of Example 3 whose $\Sigma \phi$ is 258.5 degrees.

Claims 1 and 5 accordingly state that the total value of $\Sigma \phi$ of circumferential central angles ϕ of the horizontal planes

is "30 degrees to 252 degrees", which is not taught by JP '598 as discussed above.

In response, the Examiner takes the position that "Applicant should note that Figs. 1 and 2 of JP 2002-159598 are identical to applicant's figs. 1 and 2." The Examiner further states that "Since applicant argues that applicant's Fig. 5 shows a $\Sigma \phi$ within the claimed range and applicant's fig. 5 is based on applicant's fig. 1, it is deduced that figs. 1 and 2 of JP 2002-159598 teach a $\Sigma \phi$ within the claimed range."

However, the specification states at page 4, lines 24-27 that "Fig. 4 is a front view showing a golf ball formed by the mold in Fig. 1, Fig. 5 is an enlarged front view showing a part of the golf ball in Fig. 4." The golf ball of Figs. 4 and 5 is thus formed with the mold of Figures 1 and 2.

At page 12, lines 4-6 of the specification, it is also mentioned that " . . . the dimple 21 having a shaped obtained by inverting the shape of the projection 7 is formed." The pattern of the dimples is thus almost the same as the pattern of the projections.

At Figures 1 and 2 of the specification, the projections are roughly drawn. On the other hand, at Figures 4 and 5, the dimples are drawn in detail. The pattern of projections is thus clearly different from the pattern of the dimples. Further, the drawings of many projections are abbreviated at Figures 1 and 2

of the present application, with Figures 1 and 2 being schematic by nature. The size of the horizontal plane in Figures 1 and 2 is not drawn precisely.

As the Examiner indicates, Figures 1 and 2 of the present invention are identical to Figures 1 and 2 of JP '598. However, Figures 1 and 2 of the present invention cannot be compared to Figures 1 and 2 of JP '598 for the purposes of determining anticipation or obviousness, as each set of Figures is merely schematic by nature. Instead, Figures 5, 8 and 9 of the present invention and Figure 5 of JP '598 should be compared as being more accurate depictions of the disclosed inventions.

The above rebuts the Examiner's view as to the relevance of Figures 1 and 2 of the reference in relation to applicants' claimed invention, and confirms those distinctions that exist between the respective inventions.

As the cited reference fails to teach or suggest the claimed invention, the rejection is without basis and should accordingly be withdrawn.

Rejection under 35 USC 103(a)

Claims 3-4 stand rejected under 35 USC 103(a) as being unpatentable over JP '598. This rejection is respectfully traversed.

In support of the rejection, the Examiner takes the position that "a central angle of 1 degree to 8 degrees would have been obviously and readily determined through routine experimentation by one having ordinary skill in the art at the time the invention was made."


However, given the fact that the invention of claim 1 is neither taught nor suggested by the cited JP '598 reference, the invention of claims 3 and 4 is similarly neither disclosed nor suggested by the cited reference.

In view of the above, the application is believed to be in condition for allowance, and an early indication of same earnestly is solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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